

REMARKS

The indication that claim 10 includes patentable subject matter is acknowledged with thanks. In reliance thereon, the subject matter of claims 1 and 5 has been added to claim 10 to place claim 10 in independent form and in condition for allowance.

Claims 1-5, 7-9 and 11-13 were rejected as anticipated by WEISS 5,636,564 and claim 6 was rejected as unpatentable over WEISS. These claims have been replaced with new claims 14-20 and reconsideration and withdrawal of the rejection are respectfully requested.

WEISS discloses a household electrical appliance comprising firstly a support and secondly a waffle-iron device which comprises a top panel 10 and a bottom panel 12 hinged to each other by a hinge to move about a hinge axis between an open position and a closed position, the device being pivotally mounted on the support about a pivot axis to move between at least a working angular position in which the hinge axis is oriented horizontally, the top panel 10 being above the bottom panel 12, and an upside-down angular position in which the hinge axis is oriented horizontally, the top panel 10 being beneath the bottom panel 12, the support carrying a bearing 19 delimiting an internal cylindrical hole which extends along said pivot axis, said bearing 19 having, on its upper half, an opening leading to the hole, said bottom panel 12 carrying a cylindrical pivot 17

extending along the pivot axis remotely from the hinge, said pivot having an outer diameter substantially equal to the inner diameter of the hole in order to be pivotally mounted in the hole, said pivot 17 including a housing (the plane surface) which has, in the hinge axis direction, a dimension substantially equal to or smaller than the horizontal dimension of the opening in order to extend the opening when the device is in its working angular position, said top panel 10 carrying a locking element 17 extending remotely from the hinge along a longitudinal direction which corresponds to the pivot axis direction when the top panel 10 is in its closed position, said locking element 17 having, in the hinge axis direction, a dimension substantially equal to that of the housing (the plane surface) in order to pass through the opening when, the device being in its working angular position, the top panel 10 is moved relatively to the bottom panel, and in order to be received by the housing (the plane surface) when the top panel 10 is in its closed position.

In WEISS, the opening realized in the bearing has not, in the horizontal direction, a dimension smaller than that of the inner diameter of the hole. Consequently, the pivot which has an outer diameter substantially equal to the inner diameter of the hole, can pass through the opening. Thus, the pivot is not held captive in the bearing.

Furthermore, in WEISS, the locking element (which is of semi-cylindrical shape) has, in a traverse direction which is

perpendicular to both the longitudinal direction and the hinge axis direction, a dimension substantially equal to the half of its diameter although the housing (the plane surface) has, in an opening direction which is perpendicular to both the pivot axis direction and the hinge axis direction, a dimension substantially equal to zero.

Consequently, WEISS does not disclose an appliance with a locking device comprising:

- a bearing delimiting a hole and having an opening which has, in the horizontal direction, a dimension smaller than that of the diameter of the hole,

- a pivot having a diameter substantially equal to the diameter of the hole in order to be held captive in said hole, and including a housing, and

- a locking element extending along a longitudinal direction which corresponds to the pivot axis direction when the top panel is in its closed position, and having, in a traverse direction which is perpendicular to both the longitudinal direction and the hinge axis direction, a dimension substantially equal to the dimension of the housing in an opening direction which is perpendicular to both the pivot axis direction and the hinge axis direction, in order to prevent the panel from opening when the waffle-iron is in its upside-down direction.

According to the present invention, and as recited in new claim 14, this specific combination of features acts as a

releasable locking device acting on the relative movement between the top and bottom panels to allow the top panel to move freely relative to the bottom panel when the device is in its working position, and to lock the top panel in its closed position relative to the bottom panel when the device is in its upside-down position.

In WEISS, the combination of the bearing, the pivot and the "locking element" is unable to lock the top panel in its closed position relative to the bottom panel when the device is in its upside-down position. And consequently in order to realize this locking, the appliance disclosed by WEISS comprises a completely different locking device: the top panel 10 comprises a top support 23 (column 25, line 3) hinged to a bracket 14 (column 5, lines 5-6), said bracket 14 being rotatably mounted on the support (column 5, line 24) and being fixed to a bottom support 24 (column 5, lines 31-32) of the bottom panel 12 (column 5, lines 3-4). This particular combination of the hinge (the bracket, the top support and the bottom support) acts as a releasable locking device acting on the relative movement between the top and bottom panels to allow the top panel to move freely relative to the bottom panel when the device is in its working position, and to lock the top panel in its closed position relative to the bottom panel when the device is in its upside-down position (column 5, lines 31-35). Without this particular hinge, when the device is in its upside-down position, it is

possible to open the bottom panel on account that the pivot can pass through the opening of the bearing.

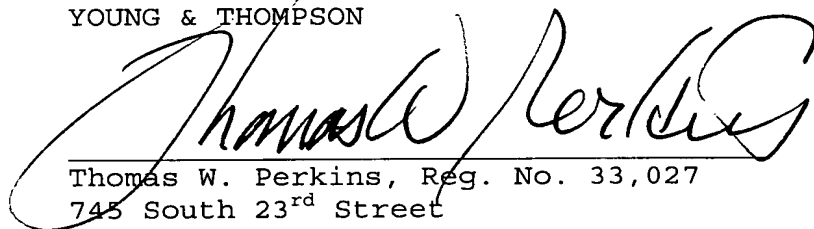
WEISS teaches to a man having ordinary skill in the art to use a specific combination of the hinge of a waffle device in order to have a releasable locking device. It is not obvious for a man having ordinary skill in the art to realize a releasable locking device remote from the hinge.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

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